

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Williams James at 408 973 2592 on 5/21/08.

The application has been amended as follows:

Claim 22 has been amended as shown in the attached copy.

The following is an examiner's statement of reasons for allowance:

In claims 1, 21, 22, the prior art fails to disclose in the event it is determined that the wave vector is substantially similar to the wave template, identifying the traffic data as being associated with an application or network protocol with which the wave template is associated; wherein the wave vector comprises numerical presentation of traffic data obtained by applying a transformation to a data sequence in the traffic data.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh Nguyen whose telephone number is 571 272 3092. The examiner can normally be reached on Monday-Thursday 8:30 AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on 571 272 2088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hanh Nguyen/
Primary Examiner, Art Unit 2616

Attached Copy

22. (Currently Amended) A computer program product for identifying network traffic, the computer program product being embodied in a computer readable medium and comprising computer instructions to be excuted by a computer processor for performing the steps of :

converting traffic data into a wave vector;

comparing the wave vector with a wave template;

determining whether the wave vector is substantially similar to the wave template; and

in the event it is determined that the wave vector is substantially similar to the wave

template, identifying the traffic data as being associated with an application or network

protocol with which the wave template is associated; wherein the wave vector

comprises numerical representations of the traffic data obtained by applying a

transformation to a data sequence in the traffic data.